



City Manager  
(707) 822-5953

Environmental Services  
822-8184

Police  
822-2428

Recreation  
822-7091

Community Development  
822-5955

Finance  
822-5951

Public Works  
822-5957

Transportation  
822-3775

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

August 28, 2013

David Estes  
Authorized Operations Manager  
Cypress Grove Chevre  
1330 Q Street  
Arcata, CA 95521

Subject: Response to Proposed Compliance Schedule for Cypress Grove Chevre for violations of Categorical Industrial User Wastewater Discharge Permit No. 004-01- 0002

Dear Mr. Estes:

The City of Arcata received your proposed compliance schedule, submitted by SHN Consulting Engineers & Geologists, Inc., on your behalf on August 1, 2013. The City has reviewed the proposed compliance schedule and has made a determination regarding whether the proposed compliance schedule will protect the Arcata Publically Owned Treatment Works (POTW) from violations of the Categorical Industrial Wastewater Discharge Permit issued to Cypress Grove Chevre. The City has determined that in order to protect the POTW Cypress Grove Chevre must take further action than is proposed in the compliance schedule and must provide the City with more detail in regards to the proposed actions.

**Fats, Oil, and Grease Best Management Practices Plan**

Cypress Grove Chevre must provide the City with a specific date, by which all creamery employees have been/ will be trained on the proposed Best Management Practices (BMPs) and a specific date by which the proposed BMPs have been/will be implemented. Further, Cypress Grove Chevre must document employee training activities and submit a copy of any training materials and a training sign-in sheet to the City within 30-days of the training.

Cypress Grove Chevre must have a plan for training any new employees in BMPs. The plan shall include the time period in which a new employee must be trained on BMPs in relation to their start date and a plan for documenting their training session and providing that documentation to the City of Arcata. Cypress Grove Chevre shall propose a date by which they will have a plan in place to train new employees on Fats, Oil and Grease BMPs.

**24-Hour pH Meter Installation**

The proposed compliance schedule confirmed a that a 24-hour pH meter had been installed, as required, but that due to dubious results a new pH meter was on order. Cypress Grove Chevre shall submit to the City of Arcata, a specific date by which the new pH meter shall be installed. Within 30-days of installation, a report confirming that the new pH meter was installed and an updated operations and maintenance plan shall be submitted to the City of Arcata.

**pH Monitoring & Violation Mitigation**

The Compliance Order required Cypress Grove Chevre to submit a detailed plan on how Cypress Grove Chevre will respond to incidents of pH violation to bring the facility back into compliance with effluent limits until such time that a continuous pH monitoring and control system is installed. Cypress Grove Chevre proposed that pH

David Estes

Subject: Response to Proposed Compliance Schedule for Cypress Grove Chevre for violations of Categorical Industrial User Wastewater Discharge Permit No. 004-01- 0002

August 28, 2013

Page 2 of 2

data would be downloaded from the meter once per day and the data reviewed for pH violations. While this plan is adequate for documenting the degree and duration of pH violations, it does not adequately address how Cypress Grove will prevent or respond to pH violations.

Cypress Grove Chevre shall prepare a pH –wastewater generating process correlation study plan. The study plan shall propose a specific time period in which Cypress Grove Chevre will study the correlation between effluent pH and wastewater producing processes. The goal of the study will be to determine which wastewater producing process(es) may be causing pH violations. Within 30-days of receipt of this letter Cypress Grove Chevre shall submit a detailed plan for a pH study, including commencement and ending dates. Within 15-days of the end of the study period Cypress Grove Chevre shall submit to the City of Arcata the findings of the study and a plan for controlling pH violations.

The plan for controlling pH violations shall include what actions Cypress Grove will take to prevent pH violations. The document shall include a plan for monitoring pH during periods when a violation is likely to occur and actions that will be taken if a violation is detected. Actions to control and respond to pH violations may include, but are not limited to; coordination of acid and basic chemical use, chemical neutralization pretreatment equipment, and closing discharge from the pretreatment system into the POTW. In no case shall Cypress Grove Chevre allow a detected violation to occur without effort to control the discharge.

#### **Pretreatment System**

The City of Arcata accepts the dates proposed by Cypress Grove Chevre for the submittal of engineered plans for the proposed pretreatment system and for the installation of the pretreatment system.

If you fail to submit the requested reports/plans by the given deadline, correct the deficiencies noted above, or correct the violations as required by the Compliance Order issued on July 3, 2013, the City of Arcata shall take appropriate enforcement actions authorized by AMC section 7493.5(D) including the possible assessment of civil liabilities not to exceed \$2000.00 for each day for failing or refusing to furnish technical or monitoring reports and/or civil liabilities not to exceed \$3000.00 for each day for failing or refusing to timely comply with an established compliance schedule. The amount of any civil penalty imposed which remains delinquent for a period of sixty (60) days shall constitute a lien against real property of the discharger per AMC Section 7493.5(D)(5).

If you have any questions regarding this matter you may contact Rachel Hernandez, Environmental Compliance Officer at (707) 825-2148.

Sincerely,



Mark Andre  
Director  
Environmental Services Department

cc: Erik C. Lust, Water/Wastewater Superintendent (City of Arcata)  
Rachel Hernandez, Environmental Compliance Officer (City of Arcata)